AO 399 (Rev. 05/00)

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

Waiver of Service of Summons

TO:	Segal McCambridge Singer	& Mahoney, Ltd.	
(N	AME OF PLAINTIFF'S ATTORNEY OR UI	IREPRESENTED PLAINTIFF)	
I, ArvinMeritor, Inc.	PEFENDANT NAME)	, acknowledge rece	eipt of your request
that I waive service of summon	Hovis Aut	o Supply,Inc. v. ArvinM	leritor, Inc.
		(CAPTION OF ACTION)	
which is case number	08 cv 2903	in the United Sta	ates District Court
	(DOCKET NUMBER)		
for the Northern District of Illin	nois.		
I have also received a cop by which I can return the signe	y of the complaint in the action d waiver to you without cost to		ment, and a means
I agree to save the cost of by not requiring that I (or the omanner provided by Rule 4.	service of a summons and an a entity on whose behalf I am a	additional copy of the comp acting) be served with judi	laint in this lawsuit cial process in the
I (or the entity on whose be jurisdiction or venue of the coulof the summons.	chalf I am acting) will retain al rt except for objections based		
I understand that a judgme	ent may be entered against me	(or the party on whose bel	half I am acting) if
an answer or motion under Rule	e 12 is not served upon you w	-	05/20/08 ,
or within 90 days after that date	e if the request was sent outsi	· ·	
t.			
(DATE)		(SIGNATURE)	
Printed/Typed Nar	me:		
As	of		
(TITLE)		(COPPODATE DEFENDANT	1

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.